

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :
THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 10TH JANUARY 2007 / 20TH PAUSHA 1928
Bail Appl..No. 81 of 2007()

Crime No.367/06 of Thampanur Police Station

: PETITIONERS/ACCUSED NOS. 1 TO 4

1. P.V.PUNNAN, AGED 53 YEARS,
S/O.T.M.VARGHESE, MANNUVILAYIL HOUSE,
EZHAMKULAM VILLAGE, ADOOR TALUK,
PATHANAMTHITTA DISTRICT.
2. P.V.ALEXANDER @ MONACHAN,
AGED 57 YEARS, S/O.T.M.VARGHESE,
MANNUVILAYIL HOUSE, EZHAMKULAM VILLAGE,
ADOOR TALUK, PATHANAMTHITTA DISTRICT.
3. USHA PUNNAN, AGED 49 YEARS,
W/O.P.V.PUNNAN, MANNUVILAYIL HOUSE,
EZHAMKULAM VILLAGE, ADOOR TALUK,
PATHANAMTHITTA DISTRICT.
4. SHIBY PUNNAN, AGED 19 YEARS,
D/O.P.V.PUNNAN, MANNUVILAYIL HOUSE,
EZHAMKULAM VILLAGE, ADOOR TALUK,
PATHANAMTHITTA DISTRICT.

BY ADV. SRI.C.B.SREEKUMAR

RESPONDENT:

STATE OF KERALA, REPRESENTED BY
THE CIRCLE INSPECTOR OF POLICE,
THAMPANUR POLICE STATION, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 10/01/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V.Ramkumar, J.

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B.A.No. 81 of 2007

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Dated this the 10th day of January, 2007.

ORDER

Petitioners, who are accused Nos. 2 to 4 in Crime No.367 of 2006 of Thampanur Police Station for an offence punishable under Section 498A read with Section 34 I.P.C., seeks anticipatory bail.

2. The marriage between the de facto complainant Shaitya alias Remya who is a Hindu and the first accused in the case, namely, Shijo who is a Christian, took place on 30.6.2006 under the Special Marriage Act, 1954. On 1.12.2006, the de facto complainant preferred the present complaint before the Nooranad Police while she was in the Josco Hospital, Edappon. Since her allegation was that she was beaten by her husband with an aluminium pipe, the above crime has been subsequently transferred to the Thampanur Police Station, Thiruvananthapuram where it is registered as Crime No.367 of 2006. The further allegation is that there was an attempt by the petitioners to forcibly convert her into a Christian against her will.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioners and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs. 10,000/- with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. Petitioners 1 and 2 shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.
2. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.
3. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.
4. Petitioners shall not commit any offence while on bail.
5. Petitioners shall not make any attempt to convert the religion of the de facto complainant against her will.
6. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

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